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ABSTRACT

Presented is a summary of major bills relating to the education of exceptional children that passed, failed, or were still in progress in state legislatures during 1974. It is noted that the report is intended to represent an overview of major state legislation rather than to include all bills that have been introduced. Bills are organized into the following categories: architectural barriers, bilingual/bicultural education, central registry/census, child advocacy, comprehensive educational services, compulsory school attendance, corporal punishment, definitions, evaluation/testing, expanded educational services, experimental/pilot programs, finance, legal age of eligibility for services, study councils and committees, teacher certification/inservice training, and transportation. Provided for each bill in a given category are state, bill number and sponsor, basic provisions of the bill, and status. (DB)

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1974 FINAL REPORT
SPECIAL EDUCATION IN THE STATES: LEGISLATIVE PROGRESS REPORT

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PREFACE

One of the functions of the Handicapped Children's Education Project (HACHE) of the Education Commission of the States is to act as a dissemination and referral center for information requests from legislators, educators and others who are interested in the education of handicapped children.

The following report contains summarized versions of major bills relating to the education of exceptional children that passed or failed in state legislatures in 1974. In some states, because the legislatures are still in session, final decisions have not yet been made. The report does not attempt to present all the bills that have been introduced, but rather represents an overview of major state legislation affecting exceptional children.

This is the final report in a series of three that HACHE has produced in an effort to keep you informed of what is happening in the states.

HACHE is able to provide more detailed information relating to state legislation upon request. Please contact C.D. Jones Jr., Assistant Project Director, HACHE, Education Commission of the States, 1860 Lincoln Street, Denver, Colorado 80203.

The project presented or reported herein was performed pursuant to a grant from the U.S. Office of Education, Department of Health, Education and Welfare. However, the opinions expressed herein do not necessarily reflect the position or policy of the U.S. Office of Education, and no official endorsement by the U.S. Office of Education should be inferred. This project is supported by the Bureau of Education for the Handicapped. Grant Number OEG-O-72-0242(607).

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STATE	*BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Architectural Barriers			
New York	S 2028 Senator Lewis	Would have required all public buildings, including schools, to be constructed to permit use by handicapped persons.	Died in Senate Finance Committee
New York	A 8948 Ch. 449 Assemblyman Levine	Amends the Executive Law and the Public Buildings Law in relation to facilities for handicapped persons and is applicable to new construction, reconstruction, rehabilitation, alteration or improvement of schools and libraries, except work completed or in progress on May 23, 1974. The amendment does not apply to minor repairs nor if the structural stability of a building or facility would be impaired by compliance with the provisions of the State Building Construction Code, as it relates to the physically handicapped.	Enacted— Signed by the governor 5-23-74. Effective 5-23-74
Pennsylvania	HB 1862 Representative McClatchy	Requires any college certified by the department of education to equip its buildings within one year to enable qualified, handicapped students to attend college.	House Education Committee
Vermont	SB 132 (Act #253) Senator Alden	Any parking lot on the premises of a public building shall contain a reasonable number of free, designated parking spaces in an accessible location for use by physically handicapped people patronizing the building.	Enacted— Signed by the governor 4-11-74. Effective 7-1-74
Bilingual/Bicultural Education			
New Jersey	SB 98 Senator Musto	Authorizes the chief state school officer to promulgate rules and regulations for the identification of pupils enrolled in the public schools of New Jersey who, because of the fact that a language other than English is the language commonly spoken in their homes, are handicapped in their ability to profit from instruction and are hereinafter referred to as linguistically handicapped children. The board of education in any school district in which 20 per cent or more of the pupils enrolled are classified under this act as linguistically	Senate Education Committee

* A, AB, H, HB = House Bills
S, SB = Senate Bills
LB = Legislative Bills
SJR = Senate Joint Resolution
Ch = Chapter
SF = Senate File
ACR = Assembly Concurrent Resolution
CS = Committee Substitute

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	SB 98 (continued)	handicapped may seek and obtain financial aid from the state at the rate of $500 per school year for each child identified. These funds are in addition to the resident enrollment aid in special education services reimbursement.	
New York	S 4610B Senator Giuffreda	Would have provided that any school district having 25 or more students whose first language is not English would establish programs of instruction for such pupils utilizing both languages.	Died in Assembly Rules Committee
New York	SB 7195 Ch. 31 Senator Marchi	Amends the Education Law to require bilingual examinations in appropriate second languages other than Spanish, which is already required.	Enacted-- Signed by the governor 3-5-74. Effective 3-5-74
Central Registry/Census			
Mississippi	SB 1802 Ch. 553 Senator White, et al.	Establishes a program of registration of persons below 12 years of age in the state of Mississippi who suffer from impaired hearing or eyesight. The purpose of such programs is to identify such persons in order that they may be assisted in obtaining education, training, medical attention and other assistance to enable them to become more productive citizens. Requires the state department of education to maintain the registry of persons having impaired vision or hearing. The director shall provide reporting forms and prepaid return envelopes to each physician or optometrist licensed to practice and to each hospital, clinic and school in the state of Mississippi. It is the purpose of this section to facilitate the reporting of persons who are suffering from impaired hearing or eyesight. The director shall produce announcements of the program which set forth the purpose of the program and which invite registration from the public at large.	Enacted-- Signed by the governor 4-12-74
New York	A 3449 Representative Shield	Directs school districts to take a census of children during September 1974 and every third year thereafter. Information regarding handicapped minors shall be filed with the Board of Cooperative Services (BOCES).	Assembly Codes Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Child Advocacy			
New Jersey	SB 13 Senator Beadleston	Creates within the department of education a bureau for the deaf and appropriates specific sums which shall be included in an annual or supplemental appropriations act.	State Government, Federal and Interstate Relations Committee
Comprehensive Educational Services			
Iowa	SF 1163 Committee on Schools	Provides for replacement of the county school systems and joint county systems with area education agencies. Provides a means of identifying and serving children under 5 years of age through grade 12 who require special education. Provides for media services and other programs and services for pupils requiring special education in grades kindergarten through 12. Provides a method of financing the programs and services and avoids a duplication of programs and services provided by any other school corporation in the state. The area education agency board shall provide for special education services and media services for the local school districts in the area. The area education agency board may provide for the following programs and services to local school districts within the limits of funds available: (1) inservice training programs for employes of school districts and area education agencies, provided that at the time programs and services are established they do not duplicate programs and services available in that area from the universities under the state board of regents and from other universities and four-year institutions of higher education in Iowa; (2) research, demonstration projects and models, and educational planning for children requiring special education under 5 years of age through grade 12; (3) auxiliary services for children requiring special education under 5 years of age through grade 12; (4) other programs and services for children requiring special education under 5 years through grade 12 and for employes of school districts and area education agencies as approved by the department of public instruction. *Definition:* "Children requiring special education" means persons under 21 years of age, including children under 5 years of age, who are handicapped in obtaining an education because of physical, mental, emotional, communication or learning disabilities or who are chronically disruptive. *Policy:* The policy of the state is to provide and to require school districts to make provision, as an integral part of public education, for special education	Enacted— Signed by the governor 5-28-74. Effective date 7-1-74 for sections 1 and 2; 7-1-75 for the remaining sections

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	SF 1163 (continued)	opportunities sufficient to meet the needs and maximize the capabilities of children requiring special education. To the maximum extent possible, children requiring special education shall attend regular classes and shall be educated with children who do not require special education. Whenever possible, hinderances to learning and to the normal functioning of children requiring special education within the regular school environment shall be overcome by the provision of special aids and services rather than by separate programs for those in need of special education. Special classes, separate schooling or other removal of children requiring special education from the regular educational environment shall occur only when and to the extent that the nature or severity of the educational handicap is such that education in regular classes, even with the use of supplementary aids and services, cannot be accomplished satisfactorily. For those children who cannot adapt to the regular educational or home living conditions, and who are attending facilities, upon the request of the board of directors of an area education agency, the department of social services shall provide residential or detention facilities and the area education agency shall provide special education programs and services. The area education agencies shall cooperate with the board of regents to provide the services required by this act. *Preschool:* Special aids and services shall be provided to children requiring special education who are less than 5 years of age if the aids and services will reasonably permit the child to enter the educational process or school environment when the child attains school age. Provides for certification by the director of special education of the eligibility of children requiring special education for admission to, or discharge from, special schools, classes or instruction. Initiates the establishment of classes for children requiring special education or home study services in hospitals, nursing, convalescent, juvenile and private homes, in cooperation with the management thereof and local school districts or area education agency boards. Provides for the employment and establishment of standards for the performance of special education support personnel required to assist in the identification of and educational programs for children requiring special education. Provides for the establishment of special education research and demonstration projects and models for special education program development. Establishes a special education resource, materials and training system for the purposes of developing specialized instructional materials and provides inservice training to personnel employed to provide educational services to children requiring special education. Approves the acquisition and use of special facilities designed for the purpose of providing educational services to children requiring special education.	

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	SF 1163 (continued)	*Finance:* Pupils in a regular curriculum are assigned a weighting of one. Children requiring special education who require special adaptation while assigned to a regular classroom for basic instructional purposes and handicapped pupils placed in a special education class who receive part of their instruction in regular classrooms are assigned a weighting of one and eight-tenths for the school year commencing July 1, 1975. Children requiring special education who require full-time, self-contained special education placement with little integration into a regular classroom are assigned a weighting of two and two-tenths for the school year commencing July 1, 1975. Children requiring special education who are severely handicapped or who have multiple handicaps, or who are chronically disruptive, are assigned to a weighting of four and four-tenths for the school year commencing July 1, 1975. Shared-time and part-time pupils of school age who require special education shall be placed in the proper category and counted in the proportion that the time for which they are enrolled or receive instruction for the school year bears to the time that full-time pupils, carrying a normal course schedule, in the same school district, for the same school year are enrolled and receive instruction. The weighting of each category of child multiplied by the number of children in each category in the enrollment of a school district, as identified and certified by the director of special education for the area, determines the weighted enrollment to be used in that district for purposes of computations required under the state school foundation. The weight that a child is assigned shall be dependent upon the required educational modifications necessary to meet the special education needs of the child. On Dec. 1, 1975, and no later than Dec. 1 every two years thereafter, for the school year commencing the following July 1, the superintendent of public instruction shall report to the school budget review committee the average costs of providing instruction for children requiring special education in the categories of the weighting plan suitable for subsequent school years. The division of special education shall audit the reports required to determine that all children in the area who have been identified as requiring special education have received the appropriate special education instructional and support services and to verify the proper identification of pupils in the area who will require special education instructional services during the school year in which the report is filed. *Evaluation:* The division may conduct an evaluation of the special education instructional program or special education support services being provided by an area education agency, school district or private agency to determine if the program or service is adequate and proper to meet the needs of the child. A written report of the evaluation shall be sent to the area education agency,	

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	SF 1163 (continued)	school district or private agency evaluated and to the president of the senate and speaker of the house of representatives of the general assembly.	
Kansas	HB 1672 Representative Dyck	(Amended by SB 1024) Provides a comprehensive revision and recodification of the special education law. The bill: (1) substitutes the comprehensive "exceptional children" for the several different terms presently in the law that define specific categories of exceptionalities; (2) mandates as of July 1, 1979, that all boards of education provide approvable special education services for all exceptional children within the school district (the present July 1, 1974, mandate for programs for the developmentally disabled is not changed); (3) requires the state board of education to prepare, adopt and administer a comprehensive state plan including standards and criteria for special education services; (4) designates as included within the state plan special education programs of the state institutions which are under the jurisdiction of the department of social and rehabilitative services, the Kansas State School for the Deaf and the Kansas State School for the Visually Handicapped; (5) requires that all new rules and regulations adopted by the state board relating to special education be submitted to the legislature during each regular session to be modified, approved or disapproved; (6) creates a nine-member state advisory council for special education to be appointed by the state board of education for a term of three years; (7) provides for a due process hearing at the school district level concerning any assignment or reassignment or exclusion of a child with regard to special education services; (8) combines the three existing categorical aid programs for special education into a single program and revises the method of distributing categorical funds; (9) recognizes paraprofessionals within the categorical state aid distribution plan.	Enacted— Signed by the governor 3-22-74 SB 1024 enacted— Signed by the governor 4-2-74
Mississippi	HB 235 Representative Lippian	An exceptional child shall be defined as any child of educable and trainable mind under 21 years of age for whose particular needs, institutional care and training are not available in this state or who cannot or should not pursue regular classwork because of defective hearing, vision, speech, mental retardation or physical handicap or because of the possession of an exceptionally high degree of intellect, ability or creative talent. Such children shall be determined by competent professional persons in such disciplines as medicine, psychology, special education, speech pathology and social work. In any school district, properly interested persons or agencies or parents or guardians of five or more of any one type of exceptional children or of types which may be taught together (with the exception of those children possessing an exceptionally high degree of intellect, ability or creative talent), may petition the board of trustees or	Enacted— Signed by the governor 3-25-74. Effective 7-1-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	HB 235 (continued)	governing board of the district for a special class or classes. The school authority shall request that the state department of education cooperate in the establishment of the necessary class or classes.	
Montana	HB 386 Ch. 93 Representative Marbut	Expands the definitions of handicapped children to include educationally handicapped persons requiring mandatory special education services after July 1, 1979, and provides for the establishment of special education services for educationally handicapped persons. Special education is a kind of instruction requiring special facilities or programs for mentally retarded or physically handicapped children or for educationally handicapped persons. An educationally handicapped person is a child or young adult under the age of 21 years who requires special assistance to the extent that he cannot reasonably profit from the regular program. After July 1, 1979, every school district must provide or establish and maintain a special education program for every handicapped person defined between the ages of 6 and 21 years in the district who cannot benefit sufficiently from the regular program of instruction by reason of his mental, physical, emotional or learning problems. A school district may meet its obligations to handicapped persons by establishing its own special education program, by establishing a cooperative special education program or by participating in a regional service program.	Enacted— Signed by the governor 4-4-74. Effective 7-1-74
New York	S 8501A Senator Donovan	Would have guaranteed every child the right to a public education and mandated that every local school district be responsible for the education of all the children in that district. Would have mandated that whenever possible, handicapped children would be educated with regular students in regular classroom programs; required that schools begin providing educational programs for all handicapped children from age 3, if it would be beneficial to the child; and required automatic evaluation of every child upon school entrance to determine the most appropriate program for the child. Would have included the right of parental access to active participation in the evaluation and placement process, including the right to seek an independent evaluation and to obtain redress in the courts for services not provided by the school district. Would have included transportation for all handicapped children to attend school. Implementation of full service sought by September 1975.	Died in Senate Education Committee
North Carolina	SB 1238 Ch. 1293 Senator Gudger	(Companion bill to HB 1814) Provides for a comprehensive revision of the special education law. This act is cited as the Equal Education Opportunities Act that established a division of children with special needs; requires state plans by the state board and local boards of education annually; establishes local and state advisory committees on children with special needs; and	Enacted— Ratified on 4-11-74. Effective 7-1-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	SB 1238 Ch. 1293 (continued)	establishes a special education fund in the state treasury. It is intended that all current and future teacher allocations and general fund appropriations to programs for children with special education needs be noncategorical. Requires appropriate placement in educational services not later than the fall of 1976 for those pupils now attending school and for those who will be eligible during that period and no later than the school year beginning in the fall of 1977 for those children in institutions to be evaluated and who, to the maximum extent practicable, should be placed in an appropriate community-based program. The bill also provides a right of appeal by parent or guardian and program evaluation.	
Ohio	HB 858 Representative Sweeney	Gives the responsibility for the education of all handicapped children between the ages of 3 and 21 to boards of education. Deletes IQ and handicap as reasons for excluding children from public school education. Every school district would be required to submit a plan for providing services by July 1, 1976. Prior to July 1, 1978, school districts would be permitted to contract with the director of Mental Health and Retardation for services. Thereafter, the school district would be responsible for providing services itself. Also contains a detailed due process procedure to review determinations made on the assignment of pupils to programs when parents object.	Assigned to the House Education Committee
Ohio	HB 954 Representative Stinziano	Provides for implementation of comprehensive special education plans. Approval of state funds for the operation of programs and services provided shall be contingent upon a comprehensive plan for special education approved by the state board of education. The state board of education shall not approve a school district's plan unless the plan proposed meets the educational needs of handicapped children in that school district and other school districts in the same general area.	Senate Education and Health Committee
West Virginia	HB 1271 Representatives Merritt and Gillispie	(Article 20) Relates to the establishment of special programs and teaching services for exceptional children. County boards of education shall establish and maintain special education programs for all exceptional children between the ages of 5 and 23 years of age. Provisions shall be made for educating such exceptional children (handicapped and gifted) who differ from the average or normal in physical, mental or emotional characteristics, or in communicative or intellectual deviation characteristics, or both, to the extent that they cannot be educated safely or profitably in the regular classes and to the extent that they need special education provisions within the regular classroom. County boards shall establish and maintain special education programs by July 1, 1974. Special education programs can be provided for exceptional children 3 years of age or	Enacted— Effective 7-1-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	HB 1271 (continued)	older. Each child enrolling in a special education program shall be examined by an appropriate specialist. The specialist's report shall carry recommendation for eligibility and placement in regular schools or in the special education facility, indicate the nature and extent of the disability and advise with reference to treatment and prosthesis for alleviating the child's disability. The superintendent shall cooperate with all other public and private agencies engaged in relieving, caring for, curing, educating and rehabilitating exceptional children and in helping coordinate the services of such agencies. Creates an advisory council for the education of exceptional children which shall advise and consult with the state board of education.	
Compulsory School Attendance			
Kentucky	HB 40 Representative Clarke	Relates to exemptions from compulsory school attendance. For any child who is excluded under the provisions of this act (i.e., subsection (1) (c)) home, hospital, institutional or other regularly scheduled and suitable instruction meeting standards, rules and regulations of the state board of education shall be provided.	Enacted— Signed by the governor 3-15-74. Effective 90 days after session ends
Corporal Punishment			
California	SB 1600 Senator Petris	Prohibits the administration of corporal punishment to pupils enrolled in special education facilities and services.	Assembly— 3rd reading
Definitions			
Florida	Committee Substitute for HB 3692 Appropriations Committee of the House	Sections 16-17. The term "exceptional student" means any child or youth who has been certified by a specialist qualified under regulations of the state board to examine students who may be unsuited for enrollment in a regular class of the public schools or is unable to be adequately educated in the public schools without the provision of special classes, instruction, facilities or related services, or a combination thereof. The term "exceptional student" includes the following: the mentally retarded, the speech-impaired, the deaf and hard-of-hearing, the blind and partially sighted, the crippled and other health-impaired, the emotionally disturbed and socially maladjusted and those with specific learning disabilities (and may include the gifted). Each school board shall provide an appropriate program of special instruction for exceptional children;	Enacted— Signed by the governor 6-18-74. Effective July 1974

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	Committee Substitute for HB 3692 (continued)	such programs shall be implemented in annual increments so that all exceptional children shall be served, provided however, that all severely and profoundly retarded children shall be served by 1977-78.	
Florida	SB 369 Committee on Education	Related to the definition of "exceptional students." The term "exceptional student" would have been clarified to include any child or youth certified by a specialist qualified under regulations of the state board as unsuited for enrollment in a regular class of the public schools or unable to be adequately educated in the public schools without the provisions of special classes, instruction, facilities or related services, or a combination thereof. Each school board would have been mandated to provide an appropriate program of special instruction for exceptional children, with such programs implemented in annual increments so that all exceptional children would be served by 1973-74. A condition of this would have been that all severely and profoundly retarded children be served by 1975-76. Would have appropriated $635,000 for the purposes of this act, which was to have been effective July 1, 1974.	Died in Senate Ways and Means Committee
Georgia	HB 1504 (Act #1289) Representative Burton	Changes the present legal definition of the term "exceptional child." This bill would consider as exceptional children those persons 3 to 20 years of age who have emotional, physical, communicative or intellectual deviations, or any combination thereof, to the degree that there is interference with school achievements or adjustments, or prevention of full academic attainment, and who require modifications or alterations in their educational programs. This definition includes children who are mentally retarded, physically handicapped, speech-handicapped, multiple-handicapped, autistic, intellectually gifted, hearing-impaired and any other areas of exceptionality which may be identified.	Enacted— Signed by the governor 3-28-74
Kentucky	HB 41 Representative Clarke	Relates to the definition of exceptional children. Exceptional children means all persons under 21 years of age who are different in one or more aspects from average or normal children in physical, emotional or social characteristics and abilities to such a degree that it is impracticable or impossible for them to benefit from or participate in the regular or usual facilities or classroom programs of the public schools in the district in which they reside. These children include the neurologically impaired, visually impaired, hearing-impaired, emotionally disturbed, retarded, children with learning disabilities, communication disorders and those children who are multiple-handicapped.	Enacted— Signed by the governor 3-12-74. Effective 90 days after session ends

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Mississippi	HB 235 Representative Lippian	Provides that the definition of exceptional children include gifted children. Such children shall be determined by competent medical authorities and psychologists who are approved by the state board of education.	Enacted— Signed by the governor 3-25-74. Effective 7-1-74
New York	S 132 Senator Marino	Extends the definition of handicapped children to include emotionally disturbed children.	Senate Education Committee
New York	S 275 Senator Pisani	Extends the definitions of handicapped children to include learning disabilities.	Senate Education Committee
Evaluation/Testing			
Florida	Committee Substitute for HB 3692 Representatives Johnson and Carlucci	Sections 29-40. The Florida Diagnostic and Resource Centers for Exceptional Students Act of 1974. The department of education is directed to establish 16 regional diagnostic and resource centers for exceptional children. In order to better serve children in counties not having a regional center, diagnostic and resource centers are authorized to use mobile testing units equipped to provide the same services as are available at the regional center. The regional diagnostic and resource center shall coordinate all diagnostic services for students with disabilities, using to the maximum the existing facilities and services within the district or districts. Beginning in 1975, each center shall, prior to the commencement of the regular school year, hold inservice workshops designed to familiarize classroom teachers, principals and supervisors with the center facilities and programs and to aid them in the detection of children with disabilities. Diagnostic and resource centers are authorized to provide testing and evaluation services to nonpublic school pupils or other children who are not enrolled in a public school. The state coordinator of diagnostic and resource center programs shall: (1) select a qualified director and staff for each center and (2) submit an annual summary report together with his recommendations to the legislature on the programs and activities of all the diagnostic and resource centers. Each school board in a district having a diagnostic and resource center shall: (1) provide the necessary physical facilities and administrative support to enable the center to serve the maximum number of students possible; (2) refer students to the center for testing and evaluation; and	Enacted— Signed by the governor 6-18-74. Effective July 1975

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	Committee Substitute for HB 3692 (continued)	(3) establish or provide programs to meet the needs of students identified by the center as having disabilities. In counties not having a center within their borders, the school board is authorized to contract with one or more centers that are the closest in proximity to the student population to be served. The director of each center shall: (1) coordinate the activities of the center and the school districts to insure that all schools receive the necessary services; (2) keep a record of all pupils referred to the center, all tests given and all resource services provided either to the districts or to an individual child; (3) submit an annual plan to the department of education which shall include, but not be limited to, a description of physical facilities, the number of the districts and children to be served and the type of program to be offered. There is hereby appropriated the sum of $4 million to be allocated as follows: $2 million for the establishment and operation of 16 diagnostic and resource centers; $1 million to be used for the purchase of mobile testing units; $1 million to be allocated to the department of education for distribution to districts which, upon application, can show special unmet needs.	
Mississippi	SB 2095 Senator Tucker	Mississippi Learning Resources Act of 1974. Develops and makes available to children of this state who are experiencing learning problems or show evidence of potential learning problems a comprehensive program of services that will raise the quality of education for all children in the state of Mississippi who are in need of such services. The department is authorized to employ and train such professional and clerical assistance as is necessary to implement and administer the system. The state superintendent of education shall appoint a Learning Resources Advisory Committee, not to exceed 30 members, as the superintendent, at his discretion, deems proper. The department shall determine the services to be provided by the system, including: (1) continuous upgrading of the quality and effectiveness of testing and evaluation of children who are not making satisfactory progress in school and preschool children who evidence potential learning problems; (2) development and dissemination of information on educational curricula and programs for the instruction of children identified as needing special educational services; (3) provision, to school and other agencies rendering educational and related services to children, of professional services and consultation on specific learning problems encountered; (4) evaluation of educational services provided to children and consultation with administrators as to the improvement of such programs of services; (5) maintenance of inservice training programs for teachers; (6) pro-	Enacted— Signed by the governor 3-15-74. Effective upon passage

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	SB 2095 (continued)	vision of prospective teachers and other personnel opportunities to observe, study and work with children, especially children with learning problems; (7) consultation with parents and appropriate educational agencies as to the resources available for diagnosis, education, care and treatment of their children; (8) maintenance of a computer reference by school district on the pupils who have received services in order to assure that appropriate educational procedures are being developed and utilized. The department's duties shall be: (1) to establish in various areas of the state, the location and size of which shall be determined by the department, a team of full-time, qualified professional persons trained, individually or collectively, in the disciplines of psychology, speech and hearing, special education and social work. One team shall be provided for each area and shall render diagnostic, screening and prescriptive services to all children or youth found to be in need of such education-related services; (2) to contract for or purchase services of clinical and medical specialists, including, but not limited to, pediatricians, neurologists and psychiatrists, when such services of specialists are needed and not available from members of a team; (3) to consult with school personnel, parents and agencies concerned with children and to serve as resource personnel whom such persons and agencies may consult for assistance in curriculum planning, methodology, material selection and other educational information or materials; (4) to serve as a resource in programs of preservice and inservice training of teachers; (5) to disseminate information to the public with regard to children who experience learning problems.	
New Jersey	SB 441 Senator Beadleston	The state board of education shall identify and ascertain which children, if any, between the ages of 5 and 20 in the public schools of the district cannot be properly accommodated because of handicaps through the school facilities usually provided. In addition, each board of education shall also identify and ascertain when deemed appropriate those children between the ages of 3 and 5 who require and who would benefit by a special education program which may prevent their handicap from becoming more debilitating. The board of education may, if a local child study team so recommends and the commission approves, provide for children under the age of 5 suitable facilities, programs and special services, in respect to which facilities, programs or services are provided for children 5 years of age or over.	On current agenda of the Senate Education Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Expanded Educational Services			
California	AB 383 Ch. 95 Representative MacDonald	Permits a county superintendent of schools to contract with a county school district or another county superintendent to provide education for physically handicapped pupils residing anywhere within the county, rather than only those physically handicapped pupils residing in districts of less than 8,000 Average Daily Attendance (ADA).	Enacted— Signed by the governor 6-15-73. Effective immediately
California	AB 2268 Ch. 1081 Representative Keene	Specifies that in the integrated instructional programs for physically handicapped pupils, the full-time special teacher who provides supplementary teaching services shall serve within the employing or other district being served.	Enacted— Signed by the governor 10-1-73. Effective 1-1-74
California	AB 2699 Representative Murphy	Authorizes county superintendent of schools to enter into agreement with school districts regarding the acquisition and use of mobile units for the education and therapy of speech-handicapped pupils.	Senate Finance Committee
California	SB 851 Ch. 1168 Senator Marler	Provides for regular class instruction to educationally handicapped pupils and mentally retarded pupils in specified circumstances, whenever there are fewer than six such students in schools of a district or schools served by a county superintendent. Also provides for speech instruction and for additional annual allowance of $1,018 per unit of ADA for mentally retarded and educationally handicapped pupils in regular day classes and for speech-handicapped pupils in specified classes.	Enacted— Signed by the governor 10-2-73. Effective 1-1-74
California	SB 581 Ch. 450 Senator Barryhill	Authorizes county superintendents of schools to enter into an agreement by which a public school in a state adjacent to the county will provide for the resulting attendance and for specified allowance for cost of such an agreement and inclusion of excess costs in the amount raised by specified county tax. Also provides for reporting resulting attendance.	Enacted— Signed by the governor 9-11-73
California	AB 748 Representative Cory	Establishes a three-year trainable mentally retarded program and authorizes the state board of education to select school districts and county superintendents of schools to begin programs for vocational education instruction and on-the-job training of trainable mentally retarded persons between the ages of 21 and 25 years. Requires the development of criteria for participation in the program by the department of education in cooperation with the department of social welfare and the department of rehabilitation. Also requires participating districts and county superintendents to keep continuous records of the progress of each student and to transfer records upon termination in the	Amended in the Senate Finance Committee and rereferred to the Senate Finance Committee

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	AB 748 (continued)	program to any other state or local agency that intends to provide assistance. This bill is to remain in effect until July 1, 1978, and appropriates $1,500,000 to the department of education.	
California	SB 1575 Senator Grunsky	Lowers the age from 5 to 3 years for severely mentally retarded pupils for whom school districts and county superintendents of schools may provide special education.	Senate Finance Committee
Florida	SB 639 Senators Peterson and Graham	Special education support services act of 1974. Would have authorized the department of education, division of elementary and secondary education, to award grants to local school districts for the establishment or expansion of special education support services to: (1) assure the availability of a full range of education assessment, medical, psychological, social and prescriptive instructional services and other related services through direct services or purchased services and (2) provide consultant services within a district or districts to parents, regular teachers, exceptional child teachers, principals and other school personnel and community organizations who provide instructional programs. Would have appropriated to the department of education, division of elementary and secondary education, from the general revenue fund for the fiscal year 1974-75, $2,860,000 to provide grants to school districts for administration, staff and other services for the implementation of special education support programs and $60,000 to administer and carry out the purposes of this act.	Died in Senate Ways and Means Committee
Georgia	SB 504 (Act #824) Senator Rowan	Provides for instruction of pupils who are married, a parent or pregnant, whether married or unmarried. The instruction would be within the regular daytime education program, and a local school system may develop and implement special programs of instruction limited to such students within the regular daytime educational program. These programs may include instruction in prenatal care and child care.	Enacted— Signed by the governor 3-18-74
Kentucky	HB 240 Representative Hinkle	Permits exceptional children who cannot be assembled in a school to receive instruction in the child's home, hospital or sanitarium.	Enacted— Signed by the governor 3-28-74. Effective 90 days after session ends

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Kentucky	HB 271 Representative Hinkle	Provides for instruction for exceptional children in either another school district or with a private organization when such programs are not available in a district in which the child resides. The school board of the school district in which any child resides shall pay for his transportation to and from the program. However, if the school board of the other district or the private organization also provides transportation, the cost of transportation shall be included in the total cost.	Enacted— Signed by the governor 3-15-74. Effective 90 days after session ends
Michigan	SB 1151 Senator Toepp	Allows special education services to be contracted for directly or in a cooperative manner through millage levied by an intermediate school district.	House Education Committee
Nebraska	LB 432 Senator Marvel et al.	Directs the state department of education to develop and provide a comprehensive educational program for acoustically handicapped children in Nebraska to be operated as a satellite program for the Nebraska School for the Deaf. The program shall be in operation not later than Oct. 1, 1974, and is designed to serve acoustically handicapped children at the preschool and primary levels of education. The state department of education is designated to coordinate the curriculum and method of service delivery of the educational program for acoustically handicapped children with the programs offered by the Nebraska School for the Deaf.	Enacted— Signed by the governor 2-4-74. Effective 7-11-74
New York	A 8150 Representative Cook	Would have authorized the department of education to spend up to $3,500 in contracting with an educational facility for the education of a handicapped child.	Died in Assembly Education Committee
Experimental Pilot Programs			
California	SB 29 Ch. 29 Senator Grunsky	Requires the superintendent of public instruction to authorize a pilot program for the education of severely mentally retarded pupils between the ages of 3 and 5 years, to evaluate the effectiveness of these programs and to report to the legislature the results not later than Jan. 12, 1974. Also appropriates $155,000 for expenditures in fiscal year 1973-74.	Enacted— Signed by the governor 4-27-73. This act became operative 7-1-73 and ceases to operate 7-30-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
California	SB 957 Ch. 749 Senator Gregorio	Authorizes two (rather than one) experimental programs for deaf and severely hard-of-hearing children who are at least six months of age. A final evaluation report is to be submitted to the legislature by June 30, 1975.	Enacted— Signed by the governor 9-25-73
Minnesota	HB 2996 Ch. 521 Representative Graba	General Appropriations Act. Section 2 relates to early childhood identification and educational programs. Provides for the 1974-75 school year. The council on quality education shall make grants to not fewer than six pilot early childhood and identification and educational programs. These programs are for children before kindergarten and below age 6 and involve: identification of potential barriers to learning and the education of parents on child development.	Enacted— Signed by the governor 4-11-74
New Jersey	AB 335 Representative Froude	To develop and carry out experimental and early childhood educational programs, for handicapped children, which show promise of promoting a comprehensive and strengthened approach to the special problems of such children. Appropriates $1 million for the purpose of this act.	Assembly Education Committee
New Jersey	AB 1031 Representative Baer	Relates to the development of quality educational programs for gifted or talented children. "Gifted or talented students" means students enrolled in the public schools of New Jersey whose intellectual capacity or talent potential in the areas of art, language, mathematics, music or science are so superior that their full potential for development may be significantly impaired by failure to receive an appropriate special education program or that their ability to profit from the regular educational program usually offered to students their age may be significantly impaired. A two-year pilot program shall be developed to provide such appropriate special education for gifted or talented students. Appropriates $240,000 to the department of education for the purposes of this act.	Assembly Education Committee
New York	A 11170A Assemblyman Wortz	Authorizes the Suffolk County Department of Personnel to determine 100 positions with limited duties to be performed by physically handicapped persons and to provide for such positions to be filled by persons certified by the Suffolk County commissioner of health. This is presented as a two-year experiment to be followed by recommendations to the State Civil Service Commission and the county executive of Suffolk County.	Enacted— Signed by the governor 5-30-74. Effective 5-30-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Finance			
Idaho	SB 1362 Ch. 127 HEW Committee	Provides special services by certified special education teachers and ancillary personnel in approved special education programs. Changes the term "handicapped" to "exceptional." Adds an exceptional child sparsity factor to the foundation education program and provides for payment of approved personnel, i.e., teacher aides, ancillary personnel, program directors and supervisors to be no more than 80 per cent of allowable salaries. Also requires reports and the keeping of records.	Enacted— Signed by the governor 3-28-74. Effective 7-1-74
Illinois	HB 2744 Representative Pierce, et al.	Would have increased special education reimbursement for children attending private schools or facilities from $2,000 to $2,500 per student or the amount of payments in excess of the per capita tuition charge (now $600) per student, whichever were less.	Vetoed by the governor 7-26-74
Kansas	HB 2059 Ways and Means Committee	General Foundation Bill. Section 47A of this act appropriates the sum of $3 million for fiscal year 1975 from the state general fund to the state department of education for the purpose of increasing state categorical aid for special education.	Enacted— Signed by the governor 4-2-74
Kansas	SB 649 Senator Meyers	Provides for direct state financial assistance for community mental health centers and for community facilities for the mentally retarded. Under provisions of this act, 85 per cent of any appropriated funds would be available for financial assistance to community mental health centers and the remainder, or 15 per cent, would be available for financial assistance for community facilities for the mentally retarded. The secretary of social and rehabilitative services is designated to administer state financial assistance.	Enacted— Signed by the governor 3-17-74
Kansas	SB 769 Ways and Means Committee	Appropriates $400,000 from the state general fund for assistance to mental health centers and mental retardation programs as covered under SB 649.	Enacted— Signed by the governor 3-19-74
Montana	SB 662 Ch. 345 Senator Gilfeather et al.	Establishes procedures for fixing special education program budgets within school budgets.	Enacted— Signed by the governor 3-28-74. Effective 7-11-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Montana	SB 660 Senator Gilfeather et al.	Provides that a school district may count special education students for Average Number Belonging (ANB) purposes when a student is enrolled less than half time in the regular program and the balance of his time in district special education programs.	Enacted— Signed by the governor 3-28-74. Effective 7-1-74
Montana	SB 661 Senator Gilfeather et al.	Enumerates the allowable costs of special education programs which a school district may count for the purpose of assistance from the foundation program.	Enacted— Signed by the governor 3-28-74. Effective 7-1 74
New Jersey	SB 123 Senator Fay	Appropriates $1 million for the support of extended workshop employment programs for the severely handicapped.	Revenue, Finance and Appropriations Committee
New York	S 510 Senator Flynn	Would have increased the stipend for instruction of handicapped children to $4,000 per year and specify that instruction be provided from ages 3 to 21.	Died in Senate Education Committee
New York	A 9033 S 7733 Assemblyman D'Amato	Apportions aid to school districts having pupils with minimal learning disabilities. Would have provided local school districts with additional funds to provide adequate programs for minimally learning-disabled pupils in their home districts in the normal mainstream of education.	Died in Assembly Education Committee
Pennsylvania	H 1700 Representative Itkin, et al.	Raises the approved cost of tuition and maintenance for socially and emotionally disturbed children from $3,300 to $5,500 per school year.	House Education Committee
Tennessee	HB 1571 Ch. 790 Representative Tom Jensen et al. Senators Garland and Oehmig	General Appropriations Bill. Most appropriations of state funds for the 1974-75 year are contained in this bill. For special education, the bill contains: (1) an additional $15,033,960 for various education of the handicapped programs; (2) weekend transportation for state special school children ($200,000); (3) West Tennessee Center for the Deaf for diagnostic services ($253,000).	Enacted— Signed by the governor 4-6-74. Effective 7-1-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Legal Age of Eligibility for Services			
Alaska	HB 592 Health Education and Social Services Committee	Provides for competent educational services for exceptional children in the state who are at least 3 years of age and for whom the regular facilities are inadequate or not available, and for educational assessment for the identification and classification of the learning, mental or physical status of the child. Parent or guardian may request an independent examination or evaluation of the child if he believes the educational assessment of the child is in error. Provides for transfers of exceptional children.	Enacted— Signed by the governor 5-10-74. Effective 8-8-74
Mississippi	SB 1803 Senator White et al.	Requires that the board of trustees of the Mississippi School for the Deaf and of the School for the Blind shall establish the minimum age eligibility for admission to the schools.	Enacted— Signed by the governor 3-6-74
New York	A 3340 Ch. 1066 Assemblyman Carroll	Provides approved educational services for deaf children under 3 years of age in institutions for the deaf. There is a one-year residence requirement which may be waived by the commissioner of education. Children are required to attend the institution nearest their legal residence, but this may be waived. The programs are to be provided by the state on a day basis under the usual conditions. There is an appropriation of $200,000.	Enacted— Signed by the governor 6-15-74. Effective 7-1-74
Study Councils and Committees			
New Jersey	SJR 11 Senators Hirkala, Russo and Bedell	Creates a 12-member commission to study the nature, extent and amount of state aid programs for mentally retarded persons.	Institutions, Health, Education and Welfare Committee
New Jersey	ACR 13 Representative Orichio	Would have created a commission to study the feasibility of establishing a program of preschool training for physically handicapped children.	Died in Assembly Education Committee
North Carolina	SB 1382 Ch. 1422 Senator Gudger	Creates a permanent legislative commission on children with special needs. The commission is authorized to pursue an indepth study of the services provided by other states of children with special needs; collect and evaluate the comprehensiveness of existing legislation in North Carolina which is relevant to programs for children with special needs, as well as pertinent reports, studies and findings from other states and national organizations; and monitor on a continuing basis the progress of the state as it moves toward meeting the service	Enacted— Ratified on 4-13-74. Effective on date of ratification

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	SB 1382 Ch. 1422 (continued)	requirements of children with special needs. The commission shall make a report to the general assembly not later than Feb. 1, 1975, and Feb. 1 of each subsequent session through 1979. The 1979 report shall contain a review of the effectiveness of the commission and a recommendation concerning future retention of the commission. Appropriates $40,000 for the 1974-75 fiscal year.	
North Carolina	HB 1546 Ch. 1079 Representative Bell	Establishes an advisory council to the state board of education to be called "The Council on Educational Services for Exceptional Children." The council shall consist of 17 members. The duties of the council shall be to carry out periodic review of the exceptional child program in the public schools; to receive complaints from citizens concerning all aspects of the operation of the public schools dealing with the exceptional child, to review these complaints and to make recommendations to the state board of education on corrected actions and programming.	Enacted— Ratified on 4-1-74. Effective on date of ratification
Teacher Certification/Inservice Training			
Florida	HB 2757 Representatives Johnson and Carlucci	Would have required the division of elementary and secondary education of the department of education to employ one full-time educational consultant to coordinate and oversee specific learning disabilities programs throughout the state. Appropriated $27,200 for the employment of such a person and for a secretary and office space.	Died in the Appropriations Committee
Florida	HB 2758 Representatives Johnson and Carlucci	Would have provided that no regular certificate as an elementary classroom teacher be granted to any applicant who had not received college training or its equivalent in the observation and interpretation of student behavior for the purpose of detecting specific learning disabilities and would have authorized the issuance of a temporary 12-month certificate. Would have authorized the department of education to approve workshops in the school districts to serve as equivalent training required by the act and grant a 12-month period to elementary teachers currently certified to meet the requirements of the act.	Died in the Appropriations Committee
Florida	Committee Substitute for HB 3692 Representatives Johnson and Carlucci	Section 26. Inservice Educational Personnel Training. Each school board shall develop and maintain a comprehensive inservice training program for all educational personnel. Such programs shall be funded through annual appropriations in the Florida education finance program to each school district at the rate of $5 per full-time equivalent student in each district or such other rate as may be established annually by the legislature. Funds appropriated to school districts pursuant to this section shall be used exclusively for inservice	Enacted— Signed by the governor 6-18-74. Effective July 1974

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
	Committee Substitute for HB 3692 (continued)	personnel training programs meeting criteria established by the department of education for inservice master plans. When a district has an approved teacher education center, these funds and the inservice programs shall be conducted in accordance with the provisions of the Teacher Education Center Act of 1973 as amended.	
Georgia	HB 1815 (Act #1236) Representative Burton, et al.	Provides certain requirements relative to the certification of teachers, principals and guidance counselors. Under this legislation, no person would be granted a certificate as a teacher, principal or guidance counselor after July 1, 1976, unless such person has satisfactorily completed a course of five or more quarter hours, approved by the state board of education, in the education of exceptional children or participated in a local system's staff development program designed to assist teachers in the identification of students with special needs.	Enacted— Signed by the governor 3-26-74
Transportation			
Colorado	SB 84 Senator Noble	Amends provisions relating to reimbursable program costs approved by the department regarding mileage expenses incurred for consultation and evaluation services provided by psychiatrists, psychologists, social workers and speech therapists.	Enacted— Signed by the governor 5-14-74
Michigan	SB 915 Senator Bursley	Allows the department of education to waiver 1 1/2-mile limitation for districts transporting a handicapped child, if the department determines the child cannot walk that distance safely.	House Education Committee
Michigan	SB 1117 Senator Bursley	Increases the limit allowed for reimbursement for transporting handicapped children to public schools.	Senate Appropriations Committee
Nebraska	LB 92 Senator Snyder	Related to handicapped and trainable mentally retarded children. Contains provisions to change allowances for transportation expenses and to eliminate a restriction on the number of trips.	Enacted— Signed by the governor 2-2-74. Effective 7-11-74
New York	A 8948 Assemblyman Levine	Authorizes the Oswego BOCES, with the consent of the commissioner, to enter into contracts with Oswego County to provide transportation for handicapped children in Oswego County to and from any facility or institution for educating handicapped children within or without that county.	Enacted— Signed by the governor 5-23-74. Effective 6-13-74

STATE	BILL/ SPONSOR	BASIC PROVISIONS OF THE BILL	STATUS
Pennsylvania	H 1863 Representative McClatchy	Requires school directors to provide full and complete transportation services for any handicapped student to any school or college within the district's boundary; establishes a 5-to-1 student-teacher ratio at the primary level and 10-to-1 at the secondary level. Also amends reimbursement of transportation payments for the handicapped to full payment.	House Education Committee
Pennsylvania	H 1742 Representative McCue	Requires that deaf children be provided free transportation, including weekend travel, to an approved boarding school or institution and provides for reimbursement of such transportation.	House Education Committee
Pennsylvania	H 1801 Representative Volpe	Transfers to intermediate units the responsibility to provide transportation for public, nonpublic and exceptional school pupils; provides for transportation payments to intermediate units by the department of transportation in an amount equal to 50 per cent of transportation costs, the balance paid by school districts to the intermediate units on the basis of respective district transportation costs; authorizes the department of transportation to promulgate rules and regulations for carrying out the act; appropriates moneys from the "Parent Reimbursement Act for Nonpublic Education" and 23 per cent of the "Cigarette Tax Act" to the department of transportation for transportation payments; is effective immediately and shall apply to transportation of pupils on and after July 1, 1974.	House Education Committee